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(54) Title: METHOD FOR THE TREATMENT OF FER	TILIT	A DISOKDEK2

(57) Abstract

In the method of therapeutic management of infertility by intrauterine insemination the improvement consisting of a) the dose-dependent suppression of endogenous gonadotropins, especially LH, with a LH-RH Antagonist allowing the maintenance of physiological oestrogen levels, b) exogeneous stimulation of the ovarian follicle growth, c) ovulation induction with HCG, native LHRH, LHRH-Agonists or recombinant LH, d) intrauterine insemination by sperm injection. The LHRH Antagonists may be preferably Cetrorelix or Antarelix. The stimulation is performed by administration of HMG or recombinant FSH with or without recombinant LH or with antiestrogens as for example Chlomiphen as well as with the combination of antiestrogens as for example Chlomiphen with gonadotropins.

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Method for the treatment of fertility disorders

One of the ethical problems of more recent times is the increasing sterility and unwanted childlessness of many couples. With respect to the therapy of these fertility disorders, inter alia, the following treatment methods of artificial fertilization have been established:

- 1. Substitution therapy applied in patients with hypogonadotropic amenorrhoea
- 10 2. Stimulation therapy given to anovulatory patients with active, albeit deranged hypothalamic pituitary-ovarian axis
 - 3. Regulation therapy employed in women with POCD
- 4. Hyperstimulation therapy used in IVF, gamete intrafallopian transfer (GIFT), tubal embryo transfer (TET), intracytoplasmatic sperm injection (ICSI) and intrauterine insemination (IUI).

The present invention especially relates to the improvement of the method of artificial sperm cell transfer in the uterus, i.e. the fertilization by intrauterine insemination (IUI) mentioned under item 4.

For the methods under items 2 and 4, it is necessary to stimulate follicle growth, which is achieved by the administration of gonadotropins, e.g. HMG, FSH and LH, with or without preliminary therapy with clomiphene. It has further proved that the risk of luteinization by a premature LH surge, which leads to unfavourable implantation conditions and relatively low pregnancy rates, can be decreased by complete suppression of the endogenous gonadotropins using GnRH agonists (Garcia et al., 1984; Navot et al., 1991; Hoffmann et al., 1993).

35 For the control of ovarian stimulation with subsequent induction of ovulation, with the aim of obtaining fertilizable egg cells, both recombinant FSH and HMG and FSH and HMG obtained from urine are employed.

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In connection with IUI, it is also desirable to control - follicle growth and to specifically trigger ovulation.

The statements in the specialist literature about the therapeutic accompaniment of IUI, in particular using GnRH analogues, are mainly negative, such as, for example, the following:

- 1. IUI after ovarian stimulation with clomiphene may be important as the 1st choice of therapy, provided the male partner has a normal spermiogram (Hum. Reprod. 1997; July; 12(7):1458-1463).
- GnRH agonists/HMG stimulation, however, may be ineffective in routine IUI. Treatment with GnRH agonists with maximum suppression of the endogenous gonadotropins requires a relatively long treatment period (about 3 weeks) and leads to an increased consumption of HMG and is associated with side effects.
- 3. Reports also exist which confirm that an increase in the pregnancy rate is not achieved by the use of GnRH agonists/HMG against HMG alone for IUI treatment in the case of unclarified infertility (Hum. Reprod. 1994 June 9(6) 1043-1047.
- 4. The cost differences of GnRH-a/HMG stimulation compared with clomiphene/HMG is indicated by Finnish authors in Eur. J. Obstet. Gynecol. Reprod. Biol. 1997 July 74: GnRH-a/HMG stimulation is not cost-effective in routine IUI therapy.
- In a study by Diedrich et al. from 1994 Hum. Reprod. 30 suppression of the undesired, 1994 May; 9(5), the by cetrorelix during surge LHpremature stimulation with HMG and the on-time induction of ovulation was described in the context of a COS-ART 35 study.

It was possible to shorten the length of the treatment period using this LHRH antagonist and the partial dosedependent suppression of the endogenous gonadotropins additionally proved advantageous, since it was possible - 3 -

to reduce the consumption in comparison to the use of agonists of HMG.

The object of the invention is therefore to improve, i.e. to make inexpensive and more effective, the treatment method of intrauterine insemination known per se and thus in the end to fulfil the desire for children of many couples.

It has now been found that the treatment method of IUI 10 can be improved by carrying out a partial suppression of the endogenous gonadotropins, which can only be achieved by means of LHRH antagonists, preferably cetrorelix or antarelix. At the same time, follicle growth is stimulated by means of urinary or recombinant 15 FSH, HMG or clomiphene, or a combination thereof. Subsequently, ovulation can be triggered at a desired time by means of HCG, native LHRH, LHRH agonists or recombinant LH. Surprisingly, this takes place when the dominant follicle has reached a diameter of about 20 16-18 mm. Intrauterine sperm injection then takes place with the aim of intracorporeal fertilization. It is possible in this way to carry out a stimulation treatment which is less stressful for the patient and guarantees a high degree of safety with respect to the 25 ovulation time and leads to a saving in cost.

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Claims:

 In the method of therapeutic management of infertility by intrauterine insemination, the improvement consisting of

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- a) the dose-dependent suppression of endogenous gonadotropins, especially LH, with an LH-RH antagonist allowing the maintenance of physiological oestrogen levels
- b) exogenous stimulation of the ovarian follicle growth
 - c) ovulation induction with HCG, native LHRH, LHRH agonists or recombinant LH.
 - d) intrauterine insemination by sperm injection.

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2. The method of therapeutic management of infertility by intrauterine insemination according to claim 1 in which the LHRH antagonist is cetrorelix.

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3. The method of therapeutic management of infertility by intrauterine insemination according to claim 1 in which the LHRH antagonist is antarelix.

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- 4. The method of therapeutic management of infertility by intrauterine insemination according to claim 1 in which the stimulation is performed by administration of urinary or recombinant FSH or HMG, with or without recombinant LH.
- 5. The method of therapeutic management of infertility by intrauterine insemination according to claim 1 in which the ovarian stimulation is achieved with antioestrogens as for example clomiphene.
- 6. The method of therapeutic management of infertility by intrauterine insemination according

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to claim 1 in which the ovarian stimulation is achieved with the combination of antioestrogens as for example clomiphene with gonadotropins.

INTERNATIONAL SEARCH REPORT

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A. CLASSI IPC 6	FICATION OF SUBJECT MATTER A61K38/09 A61K31/135		-
		nation and IDC	
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C. DOCUM	ENTS CONSIDERED TO BE RELEVANT		Relevant to claim No.
Category ³	Citation of document, with indication, where appropriate, of the re	elevant passages	Helevant to Gaim No.
Υ	EP 0 611 572 A (ASTA MEDICA AG)		1-6
ļ	24 August 1994 (1994-08-24) *cf. abstract and page 3, lines	47-52	
	page 4, lines 15-21*	,, 52,	
Y	EP 0 788 799 A (ASTA MEDICA AG)		1-6
	13 August 1997 (1997-08-13) *cf. abstract, col. 1, lines 11-	14 39-54	
	col. 2, lines 40-43*	14, 39 34,	
Y	DE 196 04 231 A (SCHERING AG)		1-6
	31 July 1997 (1997-07-31) *cf. abstract, col. 1, first par	ra. col.	
	2, lines 15-28*	u., oor.	
		-/	
X Fu	orther documents are listed in the continuation of box C.	χ Patent family members are listed	in annex.
° Special o	categories of cited documents :	"T" later document published after the inte or priority date and not in conflict with	ernational filing date
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INTERNATIONAL SEARCH REPORT

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PCT/EP 99/02133

	•	PC1/EP 99/02133						
C.(Continu	(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT							
Category °	Citation of document, with indication, where appropriate, of the relevant passages	Re	levant to claim No.					
Y	BOUCHARD P., ET AL. : "Endocrine features of combined gonadotropin and GNRH antagonist ovulation induction" OVUL. IND. UPDATE '98, PROC. WORLD CONF., 2ND, 1998,1997, pages 115-119, XP002111491 *cf. introduction*		1-6					
A	US 5 130 137 A (CROWLEY JR WILLIAM F) 14 July 1992 (1992-07-14) *cf. col. 2, last para. bridging with col. 3, lines 1-7*		1-6					

INTERNATIONAL SEARCH REPORT

Information on patent family members

Inte ional Application No PCT/EP 99/02133

Patent document cited in search report		Publication date		atent family nember(s)	Publication date
EP 0611572	0611572 A 24-08-1994		DE	4305225 A	25-08-1994
			AU	671881 B	12-09-1996
			AU	5523594 A	25-08-1994
			BR	9400617 A	27-09-1994
			CA	2115943 A	20 - 08-19 94
			CN	1112019 A	22 -11-1995
			CZ	9400312 A	14-09-1994
			FI	940779 A	20-08-1994
			HR	940117 A	31-08-1996
			HU	67117 A	28-02-1995
			JP	6271476 A	27-09-1994
			MX	9401312 A	31-08-1994
			NO	940564 A	22-08-1994
			ΝZ	250906 A	27-07-1997
			NZ	314707 A	25-02-1999
			SG	46632 A	20 - 02-1998
			SI	9400087 A	31-12-1994
			SK	19594 A	07-09-1994
			ZA	9401136 A	29-08-1994
EP 0788799	Α	13-08-1997	JP	9227404 A	02-09-1997
DE 19604231	Α	31-07-1997	AU	1596997 A	22-08-1997
JE 2300 (200			CN	1209750 A	03-03-1999
			CZ	9802391 A	11-11-1998
			WO	9727863 A	07-08-1997
			ΕP	0877621 A	18-11-1998
			NO	983465 A	18-09-1998
			PL	328066 A	04-01-1999
US 5130137	Α	14-07-1992	AU.	6353790 A	11-03-1991
	• •		WO	9101748 A	21-02-1991

INTERNATIONALER RECHERCHENBERICHT

Inte. Jonales Aktenzeichen PCT/EP 99/02133

A. KLASSI IPK 6	FIZIERUNG DES ANMELDUNGSGEGENSTANDES A61K38/09 A61K31/135		٠.
	ternationalen Patentidassifikation (IPK) oder nach der nationalen Klassi	ifikation und der IPK	
	RCHIERTE GEBIETE		
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Kategorie°	Bezeichnung der Veröttentlichung, soweit erforderlich unter Angabe	der in Betracht kommenden Teile	Betr. Anspruch Nr.
Y	EP 0 611 572 A (ASTA MEDICA AG) 24. August 1994 (1994-08-24) Zusammenfassung und Seite 3, Zei Seite 4, Zeilen 15-21.	ilen 47- 52,	1-6
Y	EP 0 788 799 A (ASTA MEDICA AG) 13. August 1997 (1997-08-13) Zusammenfassung, Spalte 1, Zeile Spalte 2, Zeilen 40-43.	1-6	
Υ	DE 196 04 231 A (SCHERING AG) 31. Juli 1997 (1997-07-31) Zusammenfassung, Spalte 1, erste Spalte 2, Zeilen 15-28.		1-6
		/ ·	
	ittere Veröffentlichungen sind der Fortsetzung von Feld C zu thehmen	X Slehe Anhang Patentfamilie	
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INTERNATIONALER RECHERCHENBERICHT

Inte. ionales Aktenzeichen
PCT/EP 99/02133

	ung) ALS WESENTLICH ANGESEHENE UNTERLAGEN Bezeichnung der Veröffentlichung, soweit erforderlich unter Angabe der in Betracht kommenden Telle	Betr. Anspruch Nr.
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Y	BOUCHARD P., ET AL. : "Endocrine features of combined gonadotropin and GNRH antagonist ovulation induction" OVUL. IND. UPDATE '98, PROC. WORLD CONF., 2ND, 1998,1997, Seiten 115-119, XP002111491 Einführung.	1-6
A	US 5 130 137 A (CROWLEY JR WILLIAM F) 14. Juli 1992 (1992-07-14) Spalte 2, letzter Abschnitt "bridging with col 3" Zeilen 1-7.	1-6

1

INTERNATIONALER RECHERCHENBERICHT

Angaben zu Veröffentlichungen, die zur selben Patentfamilie gehören

Intel. ..onales Aktenzeichen PCT/EP 99/02133

Im Recherchenbericht ngeführtes Patentdokument		Datum der Veröffentlichung	Mitglied(er) der Patentfamilie		Datum der Veröffentlichung
EP 0611572	Α	24-08-1994	DE 4305225 A		25-08-1994
[, 0011072		_,	AU	671881 B	12-09-1996
			AU .	5523594 A	25-08-1994
			BR	9400617 A	27-09-1994
			CA	2115943 A	20-08-1994
			CN	1112019 A	22-11-1995
			CZ	9400312 A	14-09-1994
			FI	940779 A	20-08-1994
			HR	940117 A	31-08-1996
			HU	67117 A	28-02-1995
			JP	6271476 A	27-09-1994
			MX	9401312 A	31-08-1994
			NO	940564 A	22-08-1994
			NZ	250906 A	27-07-1997
			NZ	314707 A	25-02-1999
			SG	46632 A	20-02-1998
			SI	9400087 A	31-12-1994
			SK	19594 A	07-09-1994
			ZA	9401136 A	29-08-1994
EP 0788799	Α	13-08-1997	JP	9227404 A	02-09-1997
DE 19604231		31-07-1997	AU	1596997 A	22-08-1997
DE 1500 1201	• •		CN	1209750 A	03-03-1999
			CZ	9802391 A	11-11-1998
			WO	9727863 A	07-08-1997
			EP	0877621 A	18-11-1998
			NO	983465 A	18-09-1998
			PL	328066 A	04-01-1999
US 5130137		14-07-1992	AU	6353790 A	11-03-1991
00 0100107	••		WO	9101748 A	21-02-1991